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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/737,197 | 12/14/2000 | Erik D. Hals | 00-002 | 9202 |

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| EXAMINER | |
|---|---|
| DALENCOURT, YVES | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2157 | 5 |

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/737,197 | HALS ET AL. | |
| | Examiner | Art Unit | |
| | Yves Dalencourt | 2157 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *14 December 2000*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,10-15 and 18-20* is/are rejected.

7)☒ Claim(s) *9,16 and 17* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 December 2000* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

This office action is responsive to communication filed on 12/14/2000.

### *Specification*

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Therefore, "the present invention " (line 3 in the abstract) is redundant.

### *Claim Objections*

Claim 11 is objected to because of the following informalities: It is suggested to end the claim with a " period ". Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 5 and 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claims 5 and 13, the limitations of " wherein said score is also based at least in part on demographic information associated with said visitor (claim 5) and "determining demographic information about said visitor " (claim 13) are not enabled in the specification. It has not been disclosed how such limitations are taken place.

Therefore, one skilled in the art would not know how to make and/or use the invention.

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 8 recites the limitation "said plurality of **potential** navigation paths" in line 2. There is insufficient antecedent basis for this limitation in the claim. A plurality of **potential** navigation paths has not previously been identified in the claims

Claims 9 and 10 are necessarily rejected as being dependent upon the rejection of claim 8.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 11, 13 – 15, and 18 – 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (paragraph bridging page 1, line 19 through page 2, line 11) in view of Eran Leshem (US 6,470,383; hereinafter Leshem).

Regarding claims 1, 11, 14 - 15, and 18 - 20, Applicant's admitted prior art teaches method for directing navigation of a visitor to a World Wide Web site, which comprises receiving at least one search term from a visitor to a World Wide Web site; selecting a navigation path based, at least in part, on said at least one search term, wherein said navigation path is selected from a plurality of navigation paths (paragraph bridging page 1, line 19 through page 2, line 11).

Applicant's admitted prior art teach all the limitations, but fail to specifically teach the step of directing said visitor along said navigation path automatically (claim 1); establishing a rule under which said navigation path can be selected from one of said

plurality of potential navigation paths (claim 11); automatically serving a jump page to said visitor (claim 14); and wherein said jump page includes a link to a new World Wide Web site (claim 15).

However, Leshem teaches, in an analogous art, a system and methods for generating and displaying web site usage data, which comprises the step of directing said visitor along said navigation path automatically (col. 3, lines 9 – 44; col. 28, lines 41 – 57); establishing a rule under which said navigation path can be selected from one of said plurality of potential navigation paths (col. 28, lines 47 - 57); automatically serving a jump page to said visitor; and wherein said jump page includes a link to a new World Wide Web site (col. 3, lines 32 – 44; col. 9, lines 12 – 29) .

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Applicant's admitted prior art's system by directing said visitor along said navigation path automatically; establishing a rule under which said navigation path can be selected from one of said plurality of potential navigation paths; automatically serving a jump page to said visitor; and wherein said jump page includes a link to a new World Wide Web site for the purpose facilitating the management and analysis of World Wide Web sites and other types of database systems which utilize hyperlinks to facilitate user navigation (see col. 1, lines 23 – 28).

Claims 2 – 4, 6 - 8, 10, and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art (paragraph bridging page 1, line 19

through page 2, line 11) in view of Eran Leshem (US 6,470,383; hereinafter Leshem), and further in view of Bowman et al (US 6,006,225; hereinafter Bowman).

Regarding claims 2 – 4, 6 - 8, 10, and 12, Applicant's admitted prior art and Eran Leshem teach all the limitations in claim 1, but fail to specifically teach the steps of scoring said at least one search term (claim 2); associating a point value with each of a set of potential search terms (claim 3); determining a score based at least in part on point values associated with said at least one search term (claim 4); wherein said score is also based at least in part on demographic information associated with said visitor (claim 5); wherein said score is also based at least in part on an occurrence of an external event (claim 6); determining said navigation path based, at least in part, on said score (claim 7); associating each of said plurality of potential navigation paths with a respective one of a plurality of score ranges (claim 8); and establishing a rule under which said navigation path can be selected from one of said plurality of potential navigation paths (claim 10); receiving compensation for directing said visitor to a specific World Wide Web site based on said at least one term search (claim 12).

However, Bowman teaches, in the same field of endeavor, a refining search queries by the suggestion of correlated terms from prior searches, which comprises the steps of scoring said at least one search term; associating a point value with each of a set of potential search terms; determining a score based at least in part on point values associated with said at least one search term; wherein said score is also based at least in part on demographic information associated with said visitor; wherein said score is also based at least in part on an occurrence of an external event; determining said

navigation path based, at least in part, on said score; associating each of said plurality of potential navigation paths with a respective one of a plurality of score ranges; receiving compensation for directing said visitor to a specific World Wide Web site based on said at least one term search (figs. 1 & 146, fig. 5A; col. 9, lines 13 – 31; col. 10, lines 25 - 33); and establishing a rule under which said navigation path can be selected from one of said plurality of potential navigation paths (col. 28, lines 47 - 57).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have used the steps of scoring said at least one search term; associating a point value with each of a set of potential search terms; determining a score based at least in part on point values associated with said at least one search term; determining said navigation path based, at least in part, on said score in Applicant's admitted prior art and Leshem's device as evidenced by Bowman for the purpose of providing an efficient mechanism for assisting users in locating items, and searching capabilities to a community of users.

***Allowable Subject Matter***

Claim 9 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: As specifically claimed, the art of record fail to teach the step of establishing a rule that must be satisfied before said visitor can be directed along said navigation path; and determining if said at least one search term satisfied said rule (claim 16); and associating each of said plurality of navigation paths to at least one of a plurality of combinations of search terms, wherein said navigation path is selected only if said at least one search term includes a combination of search terms associated with said navigation path (claim 17).

## *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

White et al (US 5,983,273) discloses a method and apparatus for providing physical security for a user account and providing access to the user's environment and preferences.

## Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (703) 308-8547. The examiner can normally be reached on M-TH 7:30AM - 6: 30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yves Dalencourt
YD
April 18, 2004

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